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INTERNATIONAL COOPERATION IN THE PEACEFUL USES OF OUTER SPACE

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. El Walid DOUDECH (Tunisia)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 20 September 1996, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-first session the item entitled "International cooperation in the peaceful uses of outer space" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

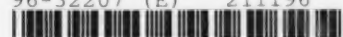
2. The Fourth Committee considered the item at its 2nd and 12th to 14th meetings, on 1 October and 11, 12 and 13 November (see A/C.4/50/SR.2 and 12-14). The general debate on the item took place at the 12th to 14th meetings, on 11, 12 and 13 November.

3. The Fourth Committee had before it the following documents:

(a) Report of the Committee on the Peaceful Uses of Outer Space;¹

(b) Report of the Secretary-General on the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space (A/51/276).

¹ Official Records of the General Assembly, Fifty-first Session, Supplement No. 20 (A/51/20).



4. At its 2nd meeting, on 1 October, the Fourth Committee decided to establish an open-ended Working Group on International Cooperation in the Peaceful Uses of Outer Space of the Special Political and Decolonization Committee (Fourth Committee), to be chaired by the delegation of Austria, to prepare the draft resolution on the item.

5. At the 12th meeting, on 11 November, the Chairman of the Special Political and Decolonization Committee (Fourth Committee) made an introductory statement on the item (see A/C.4/51/SR.12).

6. At the same meeting, the Chairman of the Committee on the Peaceful Uses of Outer Space introduced the report of the Committee.¹

7. At its 14th meeting, on 13 November, the Fourth Committee, on the proposal of the representative of Uruguay, decided to circulate the Declaration of Punta Del Este, adopted at the Third Space Conference of the Americas, held at Punta del Este, Uruguay, in 1996, as an official document of the Committee.²

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.4/51/L.7

8. At the 14th meeting, on 13 November, the representative of Austria, on behalf of the Working Group on International Cooperation in the Peaceful Uses of Outer Space of the Special Political and Decolonization Committee (Fourth Committee), introduced a draft resolution entitled "Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the Interest of All States, Taking into Particular Account the Needs of Developing Countries" (A/C.4/51/L.7).

9. At the same meeting, the Committee adopted draft resolution A/C.4/51/L.7 without a vote (see para. 13, draft resolution I).

B. Draft resolution A/C.4/51/L.8

10. Also at the 14th meeting, the representative of Austria, on behalf of the Working Group on International Cooperation in the Peaceful Uses of Outer Space of the Special Political and Decolonization Committee (Fourth Committee), introduced a draft resolution entitled "International cooperation in the peaceful uses of outer space" (A/C.4/51/L.8).

11. At the same meeting, the Committee adopted draft resolution A/C.4/51/L.8 without a vote (see para. 13, draft resolution II).

12. Japan made a statement explaining the position of its Government on draft resolution A/C.4/51/L.8.

² A/C.4/51/8.

III. RECOMMENDATION OF THE SPECIAL POLITICAL AND DECOLONIZATION
COMMITTEE (FOURTH COMMITTEE)

13. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Declaration on International Cooperation in the Exploration
and Use of Outer Space for the Benefit and in the Interest
of All States, Taking into Particular Account the Needs of
Developing Countries

The General Assembly,

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the work of its thirty-ninth session¹ and the text of the Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the Interest of All States, Taking into Particular Account the Needs of Developing Countries, as approved by the Committee and annexed to its report,²

Bearing in mind the relevant provisions of the Charter of the United Nations,

Recalling notably the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,³

Recalling also its relevant resolutions relating to activities in outer space,

Bearing in mind the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space,⁵ and of other international conferences relevant in this field,

Recognizing the growing scope and significance of international cooperation among States and between States and international organizations in the exploration and use of outer space for peaceful purposes,

Considering experiences gained in international cooperative ventures,

¹ Ibid., annex IV.

² Resolution 2222 (XXI), annex.

³ See Report of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 9-21 August 1982 and corrigenda (A/CONF.101/10 and Corr.1 and 2).

Convinced of the necessity and the significance of further strengthening international cooperation in order to reach broad and efficient collaboration in this field for the mutual benefit and in the interest of all parties involved,

Desirous of facilitating the application of the principle that the exploration and use of outer space, including the moon and other celestial bodies, shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind,

Adopts the Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the Interest of All States, Taking into Particular Account the Needs of Developing Countries, set forth in the annex to the present resolution.

ANNEX

Declaration on International Cooperation in the Exploration
and Use of Outer Space for the Benefit and in the Interest
of All States, Taking into Particular Account the Needs of
Developing Countries

1. International cooperation in the exploration and use of outer space for peaceful purposes (hereafter "international cooperation") shall be conducted in accordance with the provisions of international law, including the Charter of the United Nations and the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies.⁴ It shall be carried out for the benefit and in the interest of all States, irrespective of their degree of economic, social or scientific and technological development, and shall be the province of all mankind. Particular account should be taken of the needs of developing countries.
2. States are free to determine all aspects of their participation in international cooperation in the exploration and use of outer space on an equitable and mutually acceptable basis. Contractual terms in such cooperative ventures should be fair and reasonable and they should be in full compliance with the legitimate rights and interests of the parties concerned, as, for example, with intellectual property rights.
3. All States, particularly those with relevant space capabilities and with programmes for the exploration and use of outer space, should contribute to promoting and fostering international cooperation on an equitable and mutually acceptable basis. In this context, particular attention should be given to the benefit and the interests of developing countries and countries with incipient space programmes stemming from such international cooperation conducted with countries with more advanced space capabilities.
4. International cooperation should be conducted in the modes that are considered most effective and appropriate by the countries concerned, including, inter alia, governmental and non-governmental; commercial and non-commercial;

global, multilateral, regional or bilateral; and international cooperation among countries in all levels of development.

5. International cooperation, while taking into particular account the needs of developing countries, should aim, inter alia, at the following goals, considering their need for technical assistance and rational and efficient allocation of financial and technical resources:

(a) Promoting the development of space science and technology and of its applications;

(b) Fostering the development of relevant and appropriate space capabilities in interested States;

(c) Facilitating the exchange of expertise and technology among States on a mutually acceptable basis.

6. National and international agencies, research institutions, organizations for development aid, and developed and developing countries alike should consider the appropriate use of space applications and the potential of international cooperation for reaching their development goals.

7. The Committee on the Peaceful Uses of Outer Space should be strengthened in its role, among others, as a forum for the exchange of information on national and international activities in the field of international cooperation in the exploration and use of outer space.

8. All States should be encouraged to contribute to the United Nations Programme on Space Applications and to other initiatives in the field of international cooperation in accordance with their space capabilities and their participation in the exploration and use of outer space.

DRAFT RESOLUTION II

International cooperation in the peaceful uses of outer space

The General Assembly,

Recalling its resolution 50/27 of 6 December 1995,

Deeply convinced of the common interest of mankind in promoting the exploration and use of outer space for peaceful purposes and in continuing efforts to extend to all States the benefits derived therefrom, and also of the importance of international cooperation in this field, for which the United Nations should continue to provide a focal point,

Reaffirming the importance of international cooperation in developing the rule of law, including the relevant norms of space law and their important role in international cooperation for the exploration and use of outer space for peaceful purposes,

Stressing the importance of the widest possible adherence to international treaties that promote the peaceful uses of outer space,

Concerned about the possibility of an arms race in outer space,

Recognizing that all States, in particular those with major space capabilities, should contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international cooperation in the exploration and use of outer space for peaceful purposes,

Considering that space debris is an issue of concern to all nations,

Noting the progress achieved in the further development of peaceful space exploration and application as well as in various national and cooperative space projects, which contribute to international cooperation, and the importance of further international cooperation in this field,

Taking note of the report of the Secretary-General⁶ on the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space,⁵

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the work of its thirty-ninth session,¹

1. Endorses the report of the Committee on the Peaceful Uses of Outer Space;

2. Invites States that have not yet become parties to the international treaties governing the uses of outer space⁷ to give consideration to ratifying or acceding to those treaties;

3. Notes that, at its thirty-fifth session, the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space, in its working groups, continued its work as mandated by the General Assembly in its resolution 50/27;⁸

⁶ A/51/276.

⁷ Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (resolution 2222 (XXI), annex); Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (resolution 2345 (XXII), annex); Convention on International Liability for Damage Caused by Space Objects (resolution 2777 (XXVI), annex); Convention on Registration of Objects Launched into Outer Space (resolution 3235 (XXIX), annex); Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (resolution 34/68, annex).

⁸ See Official Records of the General Assembly, Fifty-first Session, Supplement No. 20 (A/51/20), sect. II.C.

4. Endorses the recommendations of the Committee that the Legal Subcommittee, at its thirty-sixth session, taking into account the concerns of all countries, particularly those of developing countries, should:

(a) Continue its consideration of the question of review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space;⁹

(b) Continue, through its working group, its consideration of matters relating to the definition and delimitation of outer space and to the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union;

5. Also endorses the recommendation of the Committee that the Legal Subcommittee, at its thirty-sixth session, should suspend consideration in its working group of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space pending the results of the work in the Scientific and Technical Subcommittee, without prejudice to the possibility of reconvening its working group on that item if in the opinion of the Legal Subcommittee sufficient progress was made in the Scientific and Technical Subcommittee at its session in 1997 to warrant the reconvening of the working group;

6. Notes that deliberations on the question of the geostationary orbit have been undertaken by the Legal Subcommittee as reflected in its report,¹⁰ on the basis of recent proposals which might provide a new and enhanced basis for future work;

7. Endorses the recommendations and agreements concerning the organization of work in the Legal Subcommittee;

8. Notes that the Chairman of the Legal Subcommittee, at its thirty-fifth session, conducted open-ended informal consultations with all members of the Subcommittee on the working methods of the Subcommittee, including the consideration of possible additional items for inclusion in its agenda, as outlined in the report of the Committee,¹¹ and that the implementation of several recommendations made by the Subcommittee at its thirty-fourth session resulted in a general recognition of the improvements in the working methods of the Subcommittee at its thirty-fifth session;

9. Welcomes the fact that, pursuant to its request in paragraph 12 of its resolution 50/27, the Legal Subcommittee reviewed its requirement for summary records and that, beginning with its thirty-sixth session, it would be provided with unedited verbatim transcripts in lieu of summary records;

⁹ See resolution 47/68 of 14 December 1992.

¹⁰ See Official Records of the General Assembly, Fifty-first Session, Supplement No. 20 (A/51/20), sect. II.C.

¹¹ Ibid., sect. II.C.4.

10. Notes with satisfaction that, in accordance with paragraph 11 of its resolution 50/27, the Committee was provided, at its thirty-ninth session, with unedited verbatim transcripts of that session in lieu of verbatim records and that the Committee would evaluate the use of unedited verbatim transcripts at its fortieth session to inform the General Assembly at its fifty-second session of the experience of the Committee with the transcripts;

11. Also notes that, in accordance with paragraph 9 of its resolution 50/27, the Committee reconvened, at its thirty-ninth session, the Working Group of the Whole to examine the working methods of the Committee and its subsidiary bodies;

12. Endorses the recommendations of the Committee as contained in the report of its thirty-ninth session with regard to its working methods;¹²

13. Notes that, in accordance with the agreement of the Committee at its thirty-ninth session, the Chairman of the Committee had undertaken and will continue to hold, as necessary, inter-sessional informal consultations among the members of the Committee with a view to reaching consensus decisions before the fortieth session of the Committee on the modalities of establishing a new composition of bureaux, keeping in view the principles of equitable geographical representation and rotation, and that all proposals made by delegations and groups of delegations, including the need for agenda restructuring and an examination of session duration, were taken into account in the framework of those informal consultations;

14. Agrees that if consensus agreement is reached among the members of the Committee on measures relating to the working methods of the Committee and its subsidiary bodies, including the composition and election of the bureaux, duration of sessions of those bodies and inclusion of additional items in the agenda of the Legal Subcommittee, those measures should be implemented during the 1997 sessions of the Committee and its subsidiary bodies as the transitional arrangements for the year 1997;

15. Notes that the Scientific and Technical Subcommittee of the Committee on the Peaceful Uses of Outer Space, at its thirty-third session, continued its work as mandated by the General Assembly in its resolution 50/27;¹³

16. Notes with satisfaction that the Scientific and Technical Subcommittee continued to consider on a priority basis the agenda item on space debris and that the work of the Subcommittee at its thirty-third session had concentrated on the topic of measurements of space debris, understanding of data and effects of this environment on space systems, based on the multi-year work plan adopted by the Subcommittee at its thirty-second session;¹⁴

¹² Ibid., sect. II.E.3.

¹³ Ibid., sect. II.B.

¹⁴ A/AC.105/605, para. 83.

17. Agrees that the multi-year work plan for the consideration of the item on space debris should continue to be implemented with flexibility;

18. Also endorses the recommendations of the Committee that the Scientific and Technical Subcommittee, at its thirty-fourth session, taking into account the concerns of all countries, particularly those of developing countries, should:

- (a) Consider the following items on a priority basis:
 - (i) United Nations Programme on Space Applications and the coordination of space activities within the United Nations system;
 - (ii) Implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space;⁴
 - (iii) Matters relating to remote sensing of the Earth by satellites, including, inter alia, applications for developing countries;
 - (iv) Use of nuclear power sources in outer space;
 - (v) Space debris;
- (b) Consider the following items:
 - (i) Questions relating to space transportation systems and their implications for future activities in space;
 - (ii) Examination of the physical nature and technical attributes of the geostationary orbit and of its utilization and applications, including, inter alia, in the field of space communications, as well as other questions relating to space communications developments, taking particular account of the needs and interests of developing countries;
 - (iii) Matters relating to life sciences, including space medicine;
 - (iv) Progress in national and international space activities related to the Earth's environment, in particular progress in the international geosphere-biosphere (global change) programme;
 - (v) Matters relating to planetary exploration;
 - (vi) Matters relating to astronomy;
 - (vii) The theme fixed for special attention at the thirty-fourth session of the Scientific and Technical Subcommittee: "Space systems for direct broadcasting and global information systems for space research"; the Committee on Space Research and the International Astronautical Federation, in liaison with Member States, should be invited to arrange a symposium, with as wide a participation as possible, to be

held during the first week of the Subcommittee's session, to complement discussions within the Subcommittee on the special theme;

19. Considers, in the context of paragraph 18 (a) (ii) above, that it is particularly urgent to implement the following recommendations:

(a) All countries should have the opportunity to use the techniques resulting from medical studies in space;

(b) Databases at the national and regional levels should be strengthened and expanded and an international space information service should be established to function as a centre of coordination;

(c) The United Nations should support the creation of adequate training centres at the regional level, linked, whenever possible, to institutions implementing space programmes; necessary funding for the development of such centres should be made available through financial institutions;

(d) The United Nations should organize a fellowship programme through which selected graduates or postgraduates from developing countries should get in-depth, long-term exposure to space technology or applications; it is also desirable to encourage the availability of opportunities for such exposure on other bilateral or multilateral bases outside the United Nations system;

20. Endorses the recommendations of the Working Group of the Whole of the Scientific and Technical Subcommittee, as endorsed by the Committee and as contained in the report of the Working Group of the Whole;¹⁵

21. Also endorses the recommendation of the Committee that the Scientific and Technical Subcommittee should reconvene, at its thirty-fourth session, the Working Group of the Whole to Evaluate the Implementation of the Recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, to continue its work;

22. Invites Member States to report to the Secretary-General on a regular basis with regard to national and international research concerning the safety of space objects with nuclear power sources on board;

23. Endorses the United Nations Programme on Space Applications for 1997, as proposed to the Committee by the Expert on Space Applications;¹⁶

24. Emphasizes the urgency and importance of implementing fully the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, in particular those relating to the promotion of the establishment and strengthening of regional mechanisms of cooperation through the United Nations system;

¹⁵ A/AC.105/637, annex II.

¹⁶ A/AC.105/625, sect. I.

25. Invites all Governments within the organizations of the United Nations system and other intergovernmental organizations working in the field of outer space or on space-related matters to take effective action for the implementation of the recommendations of the Conference, and also invites the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the recommendations of the Conference;

26. Notes with satisfaction that, in accordance with paragraph 30 of resolution 50/27 and in the context of paragraph 19 (c) above, the Centre for Space Science and Technology Education in Asia and the Pacific had begun its first education programme in April 1996 and that significant progress has also been achieved in establishing regional centres for space science and technology education in the other regions covered by the regional commissions;

27. Notes that, pursuant to its recommendation in paragraph 33 of resolution 50/27, the Scientific and Technical Subcommittee, at its thirty-third session, continued to discuss the possibility of holding a third United Nations Conference on the Exploration and Peaceful Uses of Outer Space before the turn of the century, and that the Committee continued these discussions at its thirty-ninth session with a view to making a final recommendation to the General Assembly at its fifty-first session;

28. Endorses the recommendation of the Committee that a special session of the Committee, open to all Member States of the United Nations (UNISPACE III), should be convened at the United Nations Office at Vienna, preferably in 1999, unless progress towards agreeing on an agenda at the Scientific and Technical Subcommittee at its thirty-fourth session makes it more appropriate to consider the year 2000;¹⁷

29. Requests the Committee and the Scientific and Technical Subcommittee to act as the Preparatory Committee and Advisory Committee and the Office for Outer Space Affairs to act as the executive secretariat for UNISPACE III; and also requests the Preparatory Committee and the Advisory Committee to carry out the tasks entrusted to them in paragraphs 178 to 185 of the report of the Committee¹⁸ and to report to the General Assembly at its fifty-second session on the progress made in the preparatory work for UNISPACE III;

30. Recognizes the contribution of the Third Space Conference of the Americas, held at Punta del Este, Uruguay in 1996, towards promoting regional cooperation in space activities, as well as the meetings mentioned in paragraph 13 of the report of the Secretary-General on the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space,⁶ and calls upon the regional commissions to support those initiatives;

¹⁷ See Official Records of the General Assembly, Fifty-first Session, Supplement No. 20 (A/51/20), sect. II.E.

¹⁸ Ibid.

31. Recommends that more attention be paid to all aspects related to the protection and the preservation of the outer space environment, especially those potentially affecting the Earth's environment;

32. Considers that it is essential that Member States pay more attention to the problem of collisions of space objects, including those with nuclear power sources, with space debris, and other aspects of space debris, calls for the continuation of national research on this question, for the development of improved technology for the monitoring of space debris and for the compilation and dissemination of data on space debris, and also considers that, to the extent possible, information thereon should be provided to the Scientific and Technical Subcommittee;

33. Urges all States, in particular those with major space capabilities, to contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international cooperation in the exploration and uses of outer space for peaceful purposes;

34. Emphasizes the need to increase the benefits of space technology and its applications and to contribute to an orderly growth of space activities favourable to sustained economic growth and sustainable development in all countries, particularly in the developing countries;

35. Requests the Committee to continue to consider, as a matter of priority, ways and means of maintaining outer space for peaceful purposes, taking into account the views expressed at its thirty-ninth session and at the fifty-first session of the General Assembly, and to report thereon to the Assembly at its fifty-second session;

36. Also requests the Committee to continue to consider at its fortieth session its agenda item entitled "Spin-off benefits of space technology: review of current status";

37. Endorses the decision of the Committee to grant permanent observer status to the Planetary Society;

38. Requests the specialized agencies and other international organizations to continue and, where appropriate, enhance their cooperation with the Committee and to provide it with progress reports on their work relating to the peaceful uses of outer space;

39. Requests the Committee to continue its work, in accordance with the present resolution, to consider, as appropriate, new projects in outer space activities, and to submit a report to the General Assembly at its fifty-second session, including its views on which subjects should be studied in the future.



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Agenda item 84

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. El Walid DOUDECH (Tunisia)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 20 September 1996, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-first session the item entitled "United Nations Relief and Works Agency for Palestine Refugees in the Near East" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 19th to 22nd meetings, on 22, 25 and 27 November 1996 (see A/C.4/51/SR.19-22). The general debate on the item took place at the 19th to 22nd meetings, on 22, 25 and 27 November.

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1995 to 30 June 1996;¹

(b) Report of the Secretary-General submitted in pursuance of General Assembly resolution 50/28 C (A/51/369);

¹ Official Records of the General Assembly, Fifty-first Session, Supplement No. 13 (A/51/13).



(c) Report of the Secretary-General submitted in pursuance of General Assembly resolution 50/28 D (A/51/370);

(d) Report of the Secretary-General submitted in pursuance of General Assembly resolution 50/28 F (A/51/371);

(e) Report of the Secretary-General submitted in pursuance of General Assembly resolution 50/28 G (A/51/476);

(f) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/51/509);

(g) Note by the Secretary-General transmitting the report of the United Nations Conciliation Commission for Palestine, in accordance with paragraph 6 of General Assembly resolution 512 (VI) and paragraph 3 of Assembly resolution 50/28 A (A/51/439);

(h) Note by the Secretary-General transmitting a special report by the Commissioner-General on the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/51/495).

4. At its 19th meeting, on 22 November, the Committee heard a statement by the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), who introduced his report (see A/C.4/51/SR.19).

5. At the same meeting, the representative of Norway, in his capacity as Rapporteur of the Working Group on the Financing of UNRWA, introduced the report of the Working Group (see A/C.4/51/SR.19).

6. Also at the same meeting, the Permanent Observer for Palestine made a statement (see A/C.4/51/SR.19).

7. At the 21st meeting, on 25 November, the Commissioner-General of UNRWA made a concluding statement (see A/C.4/50/SR.21).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.4/51/L.12

8. At the 22nd meeting, on 27 November, the representative of Ireland, on behalf of the European Union and Morocco, introduced a draft resolution entitled "Assistance to Palestine refugees" (A/C.4/51/L.12).

9. At the same meeting, the Committee adopted draft resolution A/C.4/51/L.12 by a recorded vote of 139 to 1, with 2 abstentions (see para. 22, draft resolution A).² The voting was as follows:

In favour: Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Micronesia (Federated States of), United States of America.

B. Draft resolution A/C.4/51/L.13

10. At the 22nd meeting, on 27 November, the representative of the Netherlands, on behalf of Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden, Turkey and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East" (A/C.4/51/L.13).

² Statements in explanation of vote were made by the representatives of Morocco, Senegal, the United States of America, the Russian Federation, the Islamic Republic of Iran, Japan and Canada.

11. At the same meeting, the Committee adopted draft resolution A/C.4/51/L.13 without a vote (see para. 22, draft resolution B).²

C. Draft resolution A/C.4/50/L.14

12. At the 22nd meeting, on 27 November, the representative of Indonesia, on behalf of Bangladesh, Brunei Darussalam, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Saudi Arabia, the Sudan, Tunisia, the United Arab Emirates and Yemen, introduced a draft resolution entitled "Persons displaced as a result of the June 1967 and subsequent hostilities" (A/C.4/51/L.14).

13. At the same meeting, the Committee adopted draft resolution A/C.4/51/L.14 by a recorded vote of 137 to 2, with 2 abstentions (see para. 22, draft resolution C).² The voting was as follows:

In favour: Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Costa Rica, Micronesia (Federated States of).

D. Draft resolution A/C.4/50/L.15

14. At the 22nd meeting, on 27 November, the representative of Indonesia, on behalf of Bangladesh, Brunei Darussalam, Djibouti, Egypt, India, Indonesia, Jordan, Malaysia, Morocco, Saudi Arabia, Senegal, the Sudan, Tunisia, the United Arab Emirates and Yemen, introduced a draft resolution entitled "Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees" (A/C.4/50/L.15).

15. At the same meeting, the Committee adopted draft resolution A/C.4/51/L.15 by a recorded vote of 142 to none, with 1 abstention (see para. 22, draft resolution D).² The voting was as follows:

In favour: Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: None.

Abstaining: Israel.

E. Draft resolution A/C.4/50/L.16

16. At the 22nd meeting, on 27 November, the representative of Indonesia, on behalf of Bangladesh, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Morocco, Saudi Arabia, Senegal, the Sudan, Tunisia, the United Arab Emirates and Yemen,

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introduced a draft resolution entitled "Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East" (A/C.4/51/L.16).

17. At the same meeting, the Committee adopted draft resolution A/C.4/51/L.16 by a recorded vote of 137 to 2, with 3 abstentions (see para. 22, draft resolution E).² The voting was as follows:

In favour: Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Costa Rica, Marshall Islands, Micronesia (Federated States of).

F. Draft resolution A/C.4/50/L.17

18. At the 22nd meeting, on 27 November, the representative of Indonesia, on behalf of Bangladesh, Brunei Darussalam, Djibouti, Indonesia, Jordan, Malaysia, Saudi Arabia, Senegal, the Sudan, Tunisia, the United Arab Emirates and Yemen, introduced a draft resolution entitled "Palestine refugees" properties and their revenues" (A/C.4/51/L.17).

19. At the same meeting, the Committee adopted draft resolution A/C.4/51/L.17 by a recorded vote of 128 to 2, with 8 abstentions (see para. 22, draft resolution F).² The voting was as follows:

In favour: Algeria, Andorra, Angola, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Argentina, Costa Rica, Fiji, Guatemala, Jamaica, Marshall Islands, Micronesia (Federated States of), Turkey.

G. Draft resolution A/C.4/50/L.18

20. At the 22nd meeting, on 27 November, the representative of Indonesia, on behalf of Bangladesh, Brunei Darussalam, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Morocco, Saudi Arabia, Senegal, the Sudan, Tunisia, the United Arab Emirates and Yemen, introduced a draft resolution entitled "University of Jerusalem 'Al-Quds' for Palestine refugees" (A/C.4/51/L.18).

21. At the same meeting, the Committee adopted draft resolution A/C.4/51/L.18 by a recorded vote of 137 to 2, with 2 abstentions (see para. 22, draft resolution G).² The voting was as follows:

In favour: Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany,

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Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Costa Rica, Micronesia (Federated States of).

III. RECOMMENDATIONS OF THE SPECIAL POLITICAL AND DECOLONIZATION
COMMITTEE (FOURTH COMMITTEE)

22. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

United Nations Relief and Works Agency for
Palestine Refugees in the Near East

A

Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 50/28 A of 6 December 1995 and all its previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1995 to 30 June 1996,³

³ Official Records of the General Assembly, Fifty-first Session, Supplement No. 13 (A/51/13).

Welcoming the signature by the Government of the State of Israel in Washington on 13 September 1993 and the Palestine Liberation Organization, the representative of the people of Palestine, of the Declaration of Principles on Interim Self-Government Arrangements⁴ and the subsequent implementation agreements, as also the signature of the Interim Agreement on the West Bank and the Gaza Strip in Washington on 28 September 1995,

Encouraging the Multilateral Working Group on Refugees of the Middle East peace process to continue its important work,

Welcoming the completion of the transfer of the headquarters on the Agency to its area of operations,

1. Notes with regret that repatriation or compensation of the refugees, as provided for in paragraph 11 of its resolution 194 (III), has not yet been effected and that, therefore, the situation of the refugees continues to be a matter of concern;

2. Expresses its thanks to the Commissioner-General and to all the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, recognizing that the Agency is doing all it can within the limits of available resources, and also expresses its thanks to the specialized agencies and to private organizations for their valuable work in assisting refugees;

3. Notes with regret that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III),⁵ and requests the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but not later than 1 September 1997;

4. Notes the significant success of the peace implementation programme of the Agency since the signing of the Declaration of Principles on Interim Self-Government Arrangements, and stresses the importance that contributions to this programme are not at the expense of the General Fund;

5. Welcomes strengthened cooperation between the Agency and the World Bank and other specialized agencies, and calls upon the Agency to make a decisive contribution towards giving a fresh impetus to the economic and social stability of the occupied territories;

6. Urges all Member States to extend and expedite aid and assistance with a view to the economic and social development of the Palestinian people and the occupied territories;

⁴ A/48/486-S/26560, annex.

⁵ See A/51/439, annex.

7. Reiterates its concern regarding the continuing seriousness of the financial position of the Agency, as outlined in the report of the Commissioner-General;

8. Commends the efforts of the Commissioner-General to move towards budgetary transparency and internal efficiency, and hopes that such moves will continue;

9. Notes with profound concern that the structural deficit problem confronting the Agency portends an almost certain decline in the living conditions of the Palestine refugees and that it, therefore, has possible consequences for the peace process;

10. Calls upon all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency, including the costs of moving the headquarters to Gaza, urges non-contributing Governments to contribute regularly and encourages contributing Governments to consider increasing their regular contributions.

B

Working Group on the Financing of the United Nations Relief
and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 2656 (XXV) of 7 December 1970, 2728 (XXV) of 15 December 1970, 2791 (XXVI) of 6 December 1971, 50/28 B of 6 December 1995 and the previous resolutions on this question,

Recalling also its decision 36/462 of 16 March 1982, by which it took note of the special report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,⁶

Having considered the report of the Working Group,⁷

Taking into account the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1995 to 30 June 1996,³

Deeply concerned about the critical financial situation of the Agency, which has affected and affects the continuation of the provision of the necessary Agency services to the Palestine refugees, including the emergency-related programmes,

⁶ A/36/866 and Corr.1; see also A/37/591.

⁷ A/51/509.

Emphasizing the continuing need for extraordinary efforts in order to maintain, at least at the current minimum level, the activities of the Agency, as well as to enable the Agency to carry out essential construction,

1. Commends the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its efforts to assist in ensuring the financial security of the Agency;

2. Takes note with approval of the report of the Working Group;

3. Requests the Working Group to continue its efforts, in cooperation with the Secretary-General and the Commissioner-General, for the financing of the Agency for a further period of one year;

4. Requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work.

C

Persons displaced as a result of the
June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolutions 2252 (ES-V) of 4 July 1967, 2341 B (XXI) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 50/28 C of 6 December 1996,^a

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1995 to 30 June 1996,¹

Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements, signed in Washington on 13 September 1993 by the Government of the State of Israel and the Palestine Liberation Organization,⁴ with regard to the modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

^a A/51/369.

1. Reaffirms the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. Expresses the hope for an accelerated return of displaced persons through the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements;

3. Endorses, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

4. Strongly appeals to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above purposes;

5. Requests the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its fifty-second session on the progress made with regard to the implementation of the present resolution.

D

Offers by Member States of grants and scholarships for
higher education, including vocational training, for
Palestine refugees

The General Assembly,

Recalling its resolution 212 (III) of 19 November 1948 on assistance to Palestine refugees,

Recalling also its resolutions 35/13 B of 3 November 1980, 36/146 H of 16 December 1981, 37/120 D of 16 December 1982, 38/83 D of 3 December 1983, 39/99 D of 14 December 1984, 40/165 D of 16 December 1985, 41/69 D of 3 December 1986, 42/69 D of 2 December 1987, 43/57 D of 6 December 1988, 44/47 D of 8 December 1989, 45/73 D of 11 December 1990, 46/46 D of 9 December 1991, 47/69 D of 14 December 1992, 48/40 D of 10 December 1993, 49/35 D of 9 December 1994 and 50/28 D of 6 December 1995,

Cognizant of the fact that the Palestine refugees have, for the last four decades, lost their homes, lands and means of livelihood,

Having considered the report of the Secretary-General,⁹

⁹ A/51/370.

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1995 to 30 June 1996,³

1. Urges all States to respond to the appeal in its resolution 32/90 F of 13 December 1977 and reiterated in subsequent relevant resolutions in a manner commensurate with the needs of Palestine refugees for higher education, including vocational training;
2. Strongly appeals to all States, specialized agencies and non-governmental organizations to augment the special allocations for grants and scholarships to Palestine refugees, in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;
3. Expresses its appreciation to all Governments, specialized agencies and non-governmental organizations that responded favourably to its resolutions 41/69 D, 42/69 D, 43/57 D, 44/47 D, 45/73 D, 46/46 D, 47/69 D, 48/40 D, 49/35 D and 50/28 D;
4. Invites the relevant specialized agencies and other organizations of the United Nations system to continue, within their respective spheres of competence, to extend assistance for higher education to Palestine refugee students;
5. Appeals to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the Palestinian territory occupied by Israel since 1967, including, in due course, the proposed University of Jerusalem "Al-Quds" for Palestine refugees;
6. Appeals to all States, specialized agencies and other international bodies to contribute towards the establishment of vocational training centres for Palestine refugees;
7. Requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships and to award them to qualified Palestine refugee candidates;
8. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution.

E

Operations of the United Nations Relief and Works
Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions,

/...

Recalling also the relevant Security Council resolutions,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1995 to 30 June 1996,³

Taking note of the letter dated 22 September 1996 from the Chairman of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General, contained in the report of the Commissioner-General,¹⁰

Having considered the reports of the Secretary-General submitted in pursuance of its resolutions 48/40 E,¹¹ 48/40 H¹² and 48/40 J¹³ of 10 December 1993 and 49/35 C of 9 December 1994,¹⁴

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,¹⁵

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹⁶ to the Palestinian territory occupied since 1967, including Jerusalem,

Aware of the fact that Palestine refugees have, for over four decades, lost their homes, lands and means of livelihood,

Also aware of the continuing needs of Palestine refugees throughout the occupied Palestinian territory and in the other fields of operation, namely, in Lebanon, Jordan and the Syrian Arab Republic,

Further aware of the valuable work done by the refugee affairs officers of the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

Deeply concerned about the critical financial situation of the Agency and its effect on the continuity of provision of necessary Agency services to the Palestine refugees, including the emergency-related programmes,

¹⁰ Official Records of the General Assembly, Fifty-first Session, Supplement No. 13 (A/51/13), p. vii.

¹¹ A/49/440.

¹² A/49/442.

¹³ A/49/443.

¹⁴ A/50/451.

¹⁵ Resolution 22 A (I).

¹⁶ United Nations, Treaty Series, vol. 75, No. 973.

Aware of the work of the new peace implementation programme of the Agency,

Welcoming the signing in Washington on 13 September 1993 of the Declaration of Principles on Interim Self-Government Arrangements by the Government of the State of Israel and the Palestine Liberation Organization,⁴ and the subsequent implementation agreements, including the Interim Agreement on the West Bank and the Gaza Strip signed in Washington on 28 September 1995,

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,¹⁷

Aware of the establishment of a working relationship between the Advisory Commission of the Agency and the Palestine Liberation Organization in accordance with General Assembly decision 48/417 of 10 December 1993,

1. Expresses its appreciation to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all the staff of the Agency, for their tireless efforts and valuable work;

2. Also expresses its appreciation to the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and requests it to continue its efforts and to keep the General Assembly informed of its activities, including the full implementation of decision 48/417;

3. Welcomes the completion of the transfer of the headquarters of the Agency to Gaza and the signing of the Headquarters Agreement between the Agency and the Palestinian Authority;

4. Acknowledges the support of the host Government and the Palestine Liberation Organization for the Agency in the discharge of its duties;

5. Calls upon Israel, the occupying Power, to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to abide scrupulously by its provisions;

6. Also calls upon Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations with regard to the safety of the personnel of the Agency and the protection of its institutions and the safeguarding of the security of the facilities of the Agency in the occupied Palestinian territory, including Jerusalem;

7. Calls once again upon the Government of Israel to compensate the Agency for damages to its property and facilities resulting from actions by the Israeli side;

¹⁷ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13 (A/49/13), annex I.

8. Requests the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the occupied Palestinian territory;

9. Notes that the new context created by the signing of the Declaration of Principles on Interim Self-Government Arrangements by the Government of the State of Israel and the Palestine Liberation Organization and subsequent implementation agreements has had major consequences for the activities of the Agency, which is henceforth called upon, in close cooperation with the United Nations Special Coordinator in the Occupied Territories, the specialized agencies and the World Bank, to continue to contribute towards the development of economic and social stability in the occupied territory;

10. Notes also that the functioning of the Agency remains essential in all fields of operation;

11. Notes further the significant success of the peace implementation programme of the Agency;

12. Urges all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease current financial constraints and to support the Agency in maintaining the provision of the most basic and effective assistance to the Palestine refugees.

F

Palestine refugees' properties and their revenues

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General in pursuance of resolution 50/28 F of 6 December 1995,¹⁸

Taking note also of the report of the United Nations Conciliation Commission for Palestine for the period from 1 September 1995 to 31 August 1996,¹⁹

Recalling that the Universal Declaration of Human Rights²⁰ and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

¹⁸ A/51/371.

¹⁹ A/51/439.

²⁰ Resolution 217 A (III).

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine Arab refugees,

Taking note of the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,²¹ and of the fact that the Land Office had a schedule of Arab owners and file of documents defining the location, area and other particulars of Arab property,

Recalling that in the framework of the Middle East peace process the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993,⁴ to commence negotiations on permanent status issues, including the important issue of the refugees, and calling for the commencement of those negotiations,

1. Reaffirms that the Palestine Arab refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of justice and equity;

2. Requests the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel and to preserve and modernize the existing records;

3. Calls once more upon Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

4. Calls upon all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist the Secretary-General in the implementation of the present resolution;

5. Urges the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues in the framework of the final status negotiations of the Middle East peace process;

6. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution.

²¹ Official Records of the General Assembly, Nineteenth Session, Annexes, Annex No. 11, document A/5700.

G

University of Jerusalem "Al-Quds" for Palestine refugees

The General Assembly,

Recalling its resolutions 36/146 G of 16 December 1981, 37/120 C of 16 December 1982, 38/83 K of 15 December 1983, 39/99 K of 14 December 1984, 40/165 D and K of 16 December 1985, 41/69 K of 3 December 1986, 42/69 K of 2 December 1987, 43/57 J of 6 December 1988, 44/47 J of 8 December 1989, 45/73 J of 11 December 1990, 46/46 J of 9 December 1991, 47/69 J of 14 December 1992, 48/40 I of 10 December 1993, 49/45 G of 9 December 1994 and 50/28 G of 6 December 1995,

Having considered the report of the Secretary-General,²²

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1995 to 30 June 1996,³

1. Emphasizes the need for strengthening the educational system in the Palestinian territory occupied by Israel since 5 June 1967, including Jerusalem, and specifically the need for the establishment of the proposed university;
2. Requests the Secretary-General to continue to take all necessary measures for establishing the University of Jerusalem "Al-Quds", in accordance with General Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;
3. Calls once more upon Israel, the occupying Power, to cooperate in the implementation of the present resolution and to remove the hindrances that it had put in the way of establishing the University of Jerusalem "Al-Quds";
4. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the progress made in the implementation of the present resolution.

²² A/51/476.



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REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER
ARABS OF THE OCCUPIED TERRITORIES

Report of the Special Political and Decolonization Committee
(Fourth Committee)

Rapporteur: Mr. El Walid DOUDECH (Tunisia)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 20 September 1996, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-first session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

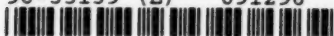
2. The Fourth Committee considered the item at its 21st and 22nd meetings, on 25 and 27 November 1996 (see A/C.4/51/SR.21 and 22). The general debate on the item took place at the 21st and 22nd meetings, on 25 and 27 November.

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General submitted in pursuance of General Assembly resolution 50/29 A (A/51/514);

(b) Report of the Secretary-General submitted in pursuance of General Assembly resolution 50/29 B (A/51/516);

(c) Report of the Secretary-General submitted in pursuance of General Assembly resolution 50/29 C (A/51/517);



(d) Report of the Secretary-General submitted in pursuance of General Assembly resolution 50/29 D (A/51/518);

(e) Letter dated 2 April 1996 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General (A/50/915-S/1996/235);

(f) Note by the Secretary-General transmitting the periodic reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/51/99 and Add.1-3);

(g) Letter dated 27 August 1996 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General (A/51/310);

(h) Letter dated 25 September 1996 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/51/407-S/1996/786);

(i) Letter dated 26 September 1996 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/51/411-S/1996/791);

(j) Letter dated 28 September 1996 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/51/429-S/1996/804).

4. At the 21st meeting, on 25 November, the representative of Sri Lanka, Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, introduced the reports of that Committee (A/51/99 and Add.1-3) (see A/C.4/51/SR.21).

5. At the same meeting, the Permanent Observer of Palestine to the United Nations made a statement (see A/C.4/51/SR.21).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.4/51/L.19

6. At the 22nd meeting, on 27 November, the representative of Cuba, on behalf of Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Saudi Arabia, the Sudan, Tunisia, the United Arab Emirates and Yemen, introduced a draft resolution entitled "Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories" (A/C.4/51/L.19).

7. At the same meeting, the Committee adopted draft resolution A/C.4/51/L.19 by a recorded vote of 69 to 2, with 59 abstentions (see para. 19, draft resolution I).¹ The voting was as follows:²

In favour: Algeria, Azerbaijan, Bahrain, Bangladesh, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Gabon, Ghana, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Oman, Pakistan, Philippines, Qatar, Saint Lucia, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Andorra, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bolivia, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Micronesia (Federated States of), Mongolia, Netherlands, New Zealand, Nigeria, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay.

B. Draft resolution A/C.4/51/L.20

8. At the 22nd meeting, on 27 November, the representative of Cuba, on behalf of Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Saudi Arabia, the Sudan, Tunisia, the United Arab Emirates and Yemen, introduced a draft resolution entitled "Application of the Geneva Convention

¹ Statements in explanation of vote were made by the representatives of Israel, the United States of America, the Russian Federation, Australia, Canada, Argentina, the Islamic Republic of Iran, Ireland (on behalf of the European Union), Ecuador and Japan (see A/C.4/51/SR.22).

² Subsequently, the delegations of Venezuela and Angola informed the Committee that had they been present at the time of the vote, they would have voted in favour of the draft resolution.

relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Palestinian territory, including Jerusalem, and the other occupied Arab territories" (A/C.4/51/L.20).

9. At the same meeting, the Committee adopted draft resolution A/C.4/51/L.20 by a recorded vote of 129 to 2, with 4 abstentions (see para. 19, draft resolution II).¹ The voting was as follows:²

In favour: Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Costa Rica, Marshall Islands, Micronesia (Federated States of), Panama.

C. Draft resolutions A/C.4/51/L.21 and Rev.1

10. The Committee had before it a draft resolution entitled "Israeli settlements in the occupied Palestinian territory, including Jerusalem, and the occupied Syrian Golan" (A/C.4/51/L.21), submitted by Banladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Saudi Arabia, the Sudan, Tunisia, the United Arab Emirates and Yemen.

11. At the 22nd meeting, on 27 November, the representative of Cuba, on behalf of the same sponsors, introduced a revised draft resolution (A/C.4/51/L.21/Rev.1), which contained the following changes:

(a) The end of the third preambular paragraph, which had read "and to the other occupied Arab territories", was revised to read "and to the occupied Syrian Golan";

(b) Operative paragraph 1, which had read:

"1. Reaffirms that colonial Israeli settlements in the Palestinian territory, including Jerusalem, and other Arab territories occupied since 1967 are illegal and an obstacle to peace and economic and social development";

was revised to read:

"1. Reaffirms that Israeli settlements in the Palestinian territory, including Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development";

(c) In operative paragraph 2, the words "to other occupied Arab territories" were replaced by the words "to the occupied Syrian Golan";

(d) In operative paragraph 3, the word "illegal" was inserted before "Israeli settlement activities".

12. Before the vote on draft resolution A/C.4/51/L.21/Rev.1, the representative of Norway proposed an oral amendment to the fourth preambular paragraph, by which the words "Aware of" would be replaced by the word "Welcoming".

13. At the same meeting, the Committee adopted draft resolution A/C.4/51/L.21/Rev.1, as orally amended, by a recorded vote of 126 to 3, with 6 abstentions (see para. 19, draft resolution III).¹ The voting was as follows:³

In favour: Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru,

³ Subsequently, the delegation of Jamaica informed the Secretariat that had it been present at the time of the vote, it would have voted in favour of the draft resolution.

Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, Micronesia (Federated States of), United States of America.

Abstaining: Costa Rica, Guatemala, Jamaica, Marshall Islands, Panama, Uruguay.

D. Draft resolution A/C.4/51/L.22

14. At the 22nd meeting, on 27 November, the representative of Cuba, on behalf of Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Saudi Arabia, the Sudan, Tunisia, the United Arab Emirates and Yemen, introduced a draft resolution entitled "Israeli practices affecting the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem" (A/C.4/51/L.22).

15. At the same meeting, the Committee adopted draft resolution A/C.4/51/L.22 by a recorded vote of 125 to 2, with 7 abstentions (see para. 19, draft resolution IV).¹ The voting was as follows:

In favour: Algeria, Andorra, Angola, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United

Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Argentina, Costa Rica, Guatemala, Marshall Islands, Micronesia (Federated States of), Panama, Uruguay.

E. Draft resolutions A/C.4/51/L.23 and Rev.1

16. The Committee had before it a draft resolution entitled "The occupied Syrian Golan", submitted by Banladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Lebanon, Malaysia, Mauritania, Saudi Arabia, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen (A/C.4/51/L.23).

17. At the 22nd meeting, on 27 November, the representative of Cuba, on behalf of the same sponsors, introduced draft resolution A/C.4/51/L.23/Rev.1, by which a new first preambular paragraph was added, which read:

"Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

18. At the same meeting, the Committee adopted draft resolution A/C.4/51/L.23/Rev.1 by a recorded vote of 127 to 1, with 6 abstentions (see para. 19, draft resolution V).¹ The voting was as follows:

In favour: Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Eritrea, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United

Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Costa Rica, Guatemala, Marshall Islands, Micronesia (Federated States of), United States of America, Uruguay.

III. RECOMMENDATIONS OF THE SPECIAL POLITICAL AND
DECOLONIZATION COMMITTEE (FOURTH COMMITTEE)

19. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Work of the Special Committee to Investigate Israeli Practices
Affecting the Human Rights of the Palestinian People and Other
Arabs of the Occupied Territories

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by the principles of international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁴ as well as international standards of human rights, in particular the Universal Declaration of Human Rights⁵ and the International Covenants on Human Rights,⁶

Recalling its relevant resolutions, including resolution 2443 (XXIII) of 19 December 1968, and relevant resolutions of the Commission on Human Rights,

Recalling also relevant resolutions of the Security Council,

Aware of the lasting impact of the uprising (intifadah) of the Palestinian people,

Convinced that occupation itself represents a primary violation of human rights,

⁴ United Nations, Treaty Series, vol. 75, No. 973.

⁵ Resolution 217 A (III).

⁶ Resolution 2200 A (XXI), annex.

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and other Arabs of the Occupied Territories⁷ and the relevant reports of the Secretary-General,⁸

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements by the Government of Israel and the Palestine Liberation Organization in Washington on 13 September 1993,⁹ as well as the subsequent implementation agreements, including the Interim Agreement on the West Bank and the Gaza Strip signed in Washington on 28 September 1995,

Expressing the hope that, with the progress of the peace process, the Israeli occupation will be brought to an end and therefore violation of the human rights of the Palestinian people will cease,

1. Commends the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. Demands that Israel cooperate with the Special Committee in implementing its mandate;

3. Deplores those policies and practices of Israel which violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the reports of the Special Committee covering the reporting period;

4. Expresses concern over the recent deterioration of the situation in the occupied Palestinian territory, including Jerusalem, as a result of Israeli practices and measures and the impasse facing the Middle East peace process;

5. Requests the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli lack of compliance with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

⁷ See A/51/99 and Add.1-3.

⁸ A/51/514 and A/51/516 to A/51/518.

⁹ A/48/486-S/26560, annex.

6. Also requests the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the occupied Palestinian territory, including Jerusalem;

7. Further requests the Special Committee to continue to investigate the treatment of prisoners in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

8. Requests the Secretary-General:

(a) To provide all necessary facilities to the Special Committee, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(b) To continue to make available such additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary to reprint those reports of the Special Committee that are no longer available;

(e) To report to the General Assembly at its fifty-second session on the tasks entrusted to him in the present resolution;

9. Decides to include in the provisional agenda of its fifty-second session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

DRAFT RESOLUTION II

Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Palestinian territory, including Jerusalem, and the other occupied Arab territories

The General Assembly,

Recalling its relevant resolutions,

Bearing in mind the relevant resolutions of the Security Council,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and other

Arabs of the Occupied Territories⁷ and the relevant reports of the Secretary-General,⁸

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law,

1. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁴ is applicable to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

2. Demands that Israel accept the de jure applicability of the Convention in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. Calls upon all States parties to the Convention, in accordance with article 1 common to the four Geneva Conventions,¹⁰ to exert all efforts in order to ensure respect for its provisions by Israel, the occupying Power in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

4. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution.

DRAFT RESOLUTION III

Israeli settlements in the occupied Palestinian territory, including Jerusalem, and the occupied Syrian Golan

The General Assembly,

Guided by the principles of the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,

Recalling its relevant resolutions, as well as relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁴ to the occupied Palestinian territory, including Jerusalem, and to the occupied Syrian Golan,

¹⁰ United Nations, Treaty Series, vol. 75, Nos. 970-973.

Welcoming the Middle East peace process started at Madrid and the agreements reached between the parties, in particular the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993⁹ and the Interim Agreement on the West Bank and the Gaza Strip of 28 September 1995,

Expressing grave concern over the decision of the Government of Israel to resume settlement activities in violation of international humanitarian law, relevant United Nations resolutions and the agreements reached between the parties,

Gravely concerned in particular about the dangerous situation resulting from actions taken by the illegal armed Israeli settlers in the occupied territory, as illustrated by the massacre of Palestinian worshippers by an illegal Israeli settler in Al-Khalil on 25 February 1994,

Taking note of the report of the Secretary-General,¹¹

1. Reaffirms that Israeli settlements in the Palestinian territory, including Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. Calls upon Israel to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁴ to the occupied Palestinian territory, including Jerusalem, and to the occupied Syrian Golan and to abide scrupulously by the provisions of the Convention, in particular article 49;

3. Demands complete cessation of all illegal Israeli settlement activities;

4. Stresses the need for full implementation of Security Council resolution 904 (1994) of 18 March 1994, in which, among other things, the Council called upon Israel, the occupying Power, to continue to take and implement measures, including, inter alia, confiscation of arms, with the aim of preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory.

DRAFT RESOLUTION IV

Israeli practices affecting the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem

The General Assembly,

Recalling its relevant resolutions and the resolutions of the Commission on Human Rights,

¹¹ A/51/517.

Bearing in mind the relevant resolutions of the Security Council, the most recent of which are resolutions 904 (1994) of 18 March 1994 and 1073 (1996) of 28 September 1996,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories⁷ and the reports of the Secretary-General,⁸

Aware of the responsibility of the international community to promote human rights and ensure respect for international law,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁴ to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Welcoming the signing of the Declaration of Principles on Interim Self-Government Arrangements by the Government of the State of Israel and the Palestine Liberation Organization in Washington on 13 September 1993,⁹ as well as the subsequent implementation agreements, including the Interim Agreement on the West Bank and the Gaza Strip signed in Washington on 28 September 1995,

Noting the withdrawal of the Israeli army, which took place in the Gaza Strip and the Jericho Area in accordance with the agreements reached between the parties, and the initiation of the Palestinian Authority in those areas,

Noting also the redeployment of the Israeli army from six cities in the West Bank,

Concerned about the continuing violation of the human rights of the Palestinian people by Israel, the occupying Power, especially the use of collective punishment, closure of areas, annexation and establishment of settlements and the continuing actions by it designed to change the legal status, geographical nature and demographic composition of the occupied Palestinian territory, including Jerusalem,

Expressing its deep concern in particular over the closure by the Israeli authorities of the occupied Palestinian territory, including Jerusalem, which prevents the freedom of movement of persons and goods and is the cause of great economic and social hardship, in violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and the agreements reached between the two sides,

Convinced of the positive impact of a temporary international or foreign presence in the occupied Palestinian territory for the safety and protection of the Palestinian people,

Expressing its appreciation to the countries that participated in the Temporary International Presence in Hebron for their positive contribution,

Convinced of the need for the full implementation of Security Council resolutions 904 (1994) and 1073 (1996),

1. Determines that all measures and actions taken by Israel, the occupying Power, in the occupied Palestinian territory, including Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and contrary to the relevant resolutions of the Security Council, are illegal and have no validity and that such measures should cease immediately;

2. Demands that Israel, the occupying Power, cease all practices and actions which violate the human rights of the Palestinian people;

3. Calls for an immediate end of the closure and the assurance of the freedom of movement of persons and goods within the Palestinian territory and with the outside world in conformity with international law and the agreements reached;

4. Calls upon Israel, the occupying Power, to accelerate the release of all remaining Palestinians arbitrarily detained or imprisoned, in line with agreements reached;

5. Calls for complete respect by Israel, the occupying Power, of all fundamental freedoms of the Palestinian people, pending the extension of the self-government arrangements to the rest of the occupied territory;

6. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution.

DRAFT RESOLUTION V

The occupied Syrian Golan

The General Assembly,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and other Arabs of the Occupied Territories,¹²

Deeply concerned that the Syrian Golan occupied since 1967 has been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its previous relevant resolutions, the last of which was 50/29 D of 6 December 1995,

¹² The most recent report is contained in documents A/51/99/Add.2 and 3.

Having considered the report of the Secretary-General of 17 October 1996,¹³

Recalling further its previous relevant resolutions in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁴ to the occupied Syrian Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

Welcoming the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace, and stressing the need for rapid progress in all bilateral negotiations,

1. Calls upon Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect, and demanded that Israel, the occupying Power, should rescind forthwith its decisions;

2. Also calls upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

3. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

4. Further calls upon Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan,

¹³ A/51/518.

and to desist from its repressive measures against the population of the occupied Syrian Golan;

5. Deplores the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. Calls once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution.
